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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/033,901 02/28/98 BACHMANN

J 10980710-1

EXAMINER

LM02/1217

IP ADMINISTRATION
LEGAL DEPARTMENT 20BN
HEWLETT PACKARD COMPANY
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PALO ALTO CA 94303-0890

ART UNIT	PAPER NUMBER
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2773

DATE MAILED:

12/17/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/033,901

Applicant(s)

Bachmann

Examiner

Sy D. Luu

Group Art Unit
2773



☒ Responsive to communication(s) filed on Oct 12, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-9 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-9 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

1. This communication is responsive to amendment A, filed 10/12/1999.
2. Claims 1-9 are pending in this application. Claims 1, 4 and 7 are independent claims. In the amendment, filed on 10/12/1999, claims 2-9 were added, and claim 1 was amended. This action is made final.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson et al. ("Wilson", U.S. # 5,392,207) in view of Kurtenbach (U.S. # 5,867,163).

As per claim 1, Wilson teaches, in an iconic programming system containing an existing network of connected icons (col. 2, lines 38-42), a computer-implemented method for tracing the execution of icons (fig. 5, col. 4, lines 29-32; col. 5, lines 53-55), the method comprising the step of: executing a plurality of the icons (fig. 4; col. 2, lines 38-43); highlighting the icon which is currently being executed on the display (fig. 4, col. 9, lines 58-60). Wilson, however, fails to teach the steps of setting a flag for each icon being executed, and highlighting each icon being set by its corresponding flag. Kurtenbach teaches a method of executing a sequence of commands, wherein the icons of the commands are highlighted as the commands are executed (abstract). Therefore, it would have been obvious for an artisan at the time of the invention to combine Kurtenbach's teaching

with the method of Wilson in order to provide the user visual feed back on the trail of icons already executed.

Furthermore, although the method of Wilson and Kurtenbach does not explicitly refer to setting a highlighting flag for each icon to indicate its status of being in an execution mode, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make internal use of flags in such a programming system in order to allow differentiation of those icons that are being executed from those that are not.

As per claims 2-3, the steps of performing the setting step during the executing step, receiving an input subsequent to the executing step and performing the highlighting step in response to the receiving step are detail implementation of claim 1. It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply this details to the teachings of claim 1 in order to improve and speed up the operation by allowing concurrent processing of setting and highlighting the appropriate icons.

Claims 4-6 are similar in scope to claims 1-3, and therefore are rejected under similar rationale.

Claims 7-9 are similar in scope to claims 1-3, and therefore are rejected under similar rationale.

Response to Arguments

5. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Responses

7. Responses to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington, D.C. 20231.**

If applicant desires to fax a response, (703) 308-9051(52) may be used for formal communications or (703) 308-6606 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Inquires


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Sy D. Luu** whose telephone number is (703) 305-0409. The examiner can normally be reached on **Monday - Thursday from 6:30 am to 4:00 pm**. The examiner can also be reached on alternate **Friday**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Matt Kim**, can be reached on (703) 305-3821.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Sy D. Luu
Patent Examiner
December 16, 1999

sdl


RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2773